

Appl. No. : **09/767,207**
Filed : **January 22, 2001**

REMARKS

Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 51-55. Claims 56, 57, 61, 62, 64, 65, and 67-72 stand rejected. Claims 58-60, 63, and 66 would be allowable if rewritten into independent form to include all of the limitations of the base claims and any intervening claims. In response, Applicants have incorporated the limitations from dependent Claim 66 into independent Claim 64 and have canceled dependent Claim 66. Applicants have also amended Claims 56, 61 and 67. Thus, Claims 51-65 and 67-72 are pending in the application and are presented for reconsideration and further examination in view of the amendments and the following remarks.

Rejection under §35 U.S.C. §102(b) over Bynum (U.S. Patent No. 5,586,790)

The Examiner rejected independent Claims 56, 61, 64, and 67 as anticipated by U.S. Patent No. 5,586,790 to Bynum. Applicant does not agree with the characterization of the reference set forth by the Examiner or with the rejection of original Claims 56, 61, 64 and 67. Nevertheless, to expedite the issuance of the other pending claims, Applicant has amended these claims to more clearly distinguish these claims over the '790 patent. Applicant reserves the right to pursue at a later date claims similar to the original claims.

In the Office Action, the Examiner cited the '790 patent for disclosing a connector fitting having a spin nut. However, the structure disclosed in the '790 patent is different than the connector fitting and spin nut structures of, for example, Claim 56.

The '790 patent discloses a capture device for use in environments subject to severe vibration, for example, aircraft. The capture device must not loosen or disassemble during use. (See col. 1, lines 15-17). Specifically, Figures 13 and 14 of the '790 patent disclose a self-locking borescope plug employing the capture device for engaging a hard ring (144) and threads (142) of a socket. As illustrated in Figure 14, the borescope plug has a solid core to prevent fluid flow through the plug.

The plug includes a threaded portion (150) and a plurality of tangs (156) having radially extending knobs (158). When the plug and socket are assembled, the knobs (158) and threaded portion (150) of the plug engage the scallops (146) and threads (142) of the socket, respectively. Thus, the socket threads (142) are configured to engage the threaded portion (150) of the plug.

Appl. No. : **09/767,207**
Filed : **January 22, 2001**

In contrast, amended Claim 56 is directed to a fitting that includes, among other elements, a spin nut having “a screw thread formed on an inner surface of the spin nut, the inner surface being disposed apart from the elongated body such that the screw thread does not engage with the elongated body.” Amended Claim 61 includes, among other elements, “a screw thread formed on an inner surface of the spin nut and extending about the elongated body but not connecting with the elongated body.” Amended Claim 67 includes, among other elements, a “first cavity portion having a screw thread formed on an inner surface and being configured to secure to the adapter and not to the elongated body.” The ‘790 patent fails to disclose, inter alia, these claimed structural limitations. Therefore, Applicant respectfully requests reconsideration of independent Claims 56, 61, and 67 as amended.

Claim 64 was amended to incorporate the limitations from dependent Claim 66 which had been identified by the Examiner as containing allowable subject matter. Accordingly, Applicants respectfully submit that amended Claim 64 is allowable.

Dependent Claims 57-60, 62-63, 65, and 68-72 depend directly or indirectly from independent Claims 56, 61, 64 and 67 and thus are patentable for at least the same reasons that support the allowance of the claim from which they depend, as well as on their own merits.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner’s rejections and each of the Examiner’s assertions regarding what the prior art discloses or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence or estoppel is or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the noted rejections and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped

Appl. No. : **09/767,207**
Filed : **January 22, 2001**

issues remain of if an issue requires clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve any such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/18/06

By: 

James F. Herkenhoff
Registration No. 51,241
Attorney of Record
Customer No. 20,995
(619) 235-8550

2524201
041406